



# CITY COUNCIL

## AGENDA REQUEST

AGENDA OF:	4/15/2008	AGENDA REQUEST NO:	V C
INITIATED BY:	JENNIFER A. MAY, <i>jm</i> MANAGEMENT ASSISTANT II	RESPONSIBLE DEPARTMENT:	PUBLIC WORKS DEPARTMENT
PRESENTED BY:	MICHAEL A. LEECH, ASSISTANT DIRECTOR OF PUBLIC WORKS <i>ML</i>	DEPARTMENT HEAD:	MIKE HOBBS, <i>mh</i> DIRECTOR OF PUBLIC WORKS
		ADDITIONAL DEPARTMENT HEAD (S):	N/A
SUBJECT / PROCEEDING:	AUTHORIZE RESOLUTION NO. 08-10 ADOPTING THE REVISED URBAN BEAUTIFICATION POLICY		
EXHIBITS:	RESOLUTION NO. 08-10		
CLEARANCES		APPROVAL	
LEGAL:	JOE D. MORRIS, CITY ATTORNEY <i>JDM</i>	EXECUTIVE DIRECTOR:	N/A
PURCHASING:	N/A	ASST. CITY MANAGER:	KAREN DALY <i>kd</i>
BUDGET:	N/A	CITY MANAGER:	ALLEN BOGARD <i>kg</i> /FOR AB
BUDGET			
EXPENDITURE REQUIRED: \$		N/A	
AMOUNT BUDGETED/REALLOCATION: \$		N/A	
ADDITIONAL APPROPRIATION: \$		N/A	
RECOMMENDED ACTION			
Staff recommends that the City Council authorize Resolution No. 08-10 adopting the revised Urban Beautification Policy.			

## EXECUTIVE SUMMARY

As part of the City Council's adopted annual work plan and in accordance with the Comprehensive Plan goal of "Safe and Beautiful City," a strategic project has been underway to develop standards for public infrastructure, landscape and hardscape improvements in City Rights-of-Way (ROW). As part of this effort, all of the City's existing Right-of-Way policies, programs and practices have been consolidated in a revised Urban Beautification Policy. The proposed policy was presented to the City Council along with authorization and permitting procedures in a December 18, 2007 workshop.

At the December 18 workshop, City Council requested additional information about the policy including an overview of the changes from the existing policy. The additional information was sent to Council in a January 25, 2008 FYI memorandum. After receipt of the FYI, a subsequent recommendation was made to remove the portion of the policy which referred to signature corridors. Staff agrees with this recommendation and has removed the signature corridor language.

Just prior to the February 19 City Council meeting when the policy was scheduled for consideration, several HOA organizations notified the staff that they had questions pertaining to the proposed policy. The proposed policy was pulled from the agenda so that the questions could be adequately addressed. A discussion of the proposed policy was held at the March 26 Quarterly HOA meeting. The discussion went well and the questions raised prior to the February 19 meeting were addressed among others.

The original Urban Beautification Policy, which was initially adopted by the City Council in October 1998, only established landscape management standards. The proposed policy strengthens the City's role as "Chief Steward" of the ROW by increasing the standards for landscape management and by adding sections addressing street lighting and traffic signal management. The following outlines major proposed changes to the existing Urban Beautification policy.

**Purpose & Scope:** The purpose was strengthened with the addition of policy, procedures and standards for installing and maintaining all streetscape elements within the ROW: landscaping, street lighting, and traffic signal infrastructure. The scope was revised to reinforce the City's overall role in ROW beautification.

**Definitions:** The following major changes were made:

- Beautification Level, previously referred to as "High Level," was increased from 42 to up to 44 mowing frequencies per year.
- Rough Cut Level definition was increased from 13 to up to 24 mowing frequencies per year, depending on visibility and the amount of maintenance required to comply with the City's Code of Ordinances.

**Landscape Management:** Strengthened statement that property owners or permitted entities are responsible for installation and perpetual maintenance of all authorized and permitted improvements; added that all new irrigation will be reviewed by the Public Works and Utilities Departments to ensure all efforts to utilize non-potable water have been considered. Additionally:

- U.S. Highways & State Routes: City will maintain all U.S. Highways and State Routes at the Beautification Level, though improvements will no longer be dependent on TxDOT grants.
- Non-State Routes (15,000+): Standard of Groom Cut Level remains the same, and the City will continue to encourage beautification by outside entities of such Rights-of-Way by providing those entities with reimbursements equaling the City's cost of Groom Cut maintenance.

- Non-State Routes (<15,000): Standard for landscape maintenance will remain at the Rough Cut Level.
- Residential Streets: Requirement that the ROW be maintained in accordance with the City's Code of Ordinances also remains the same.

**Street Lighting Management:** Reinforce mandatory installation, placement of street lights in accordance with City standards, and a prohibition on private lighting systems within the ROW; additionally:

- U.S. Highways & State Routes: City will fund installation of ornamental street lighting in accordance with Design Standards and as approved by TxDOT.
- Non-State Routes: Establishes two standard street lighting systems: a 30' cobra head system and a 12' non-cobra lamp post system, provided the lamp post system is only used when existing cobra head system is impeded due to tree canopies.
- Residential Streets: Establishes same standards for the Non-State Routes and allows for the installation of lamp post systems, provided the requesting party covers all associated installation costs.

**Traffic Signal Management:** Strengthens the City's overall management of all traffic signal elements within the ROW; additional points include:

- U.S. Highways & State Routes: City will fund installation of ornamental traffic signals in accordance with Design Standards and as approved by TxDOT.
- Non-State Routes: Establishes galvanized steel as standard along Non-State Routes, but also allows outside entities to fund an upgrade to ornamental infrastructure if the intersection is adjacent to an existing upgraded intersection and the requesting entity pays all costs associated with the upgrade.

The proposed policy will strengthen the City's role as "Chief Steward" of the ROW, provides for a more comprehensive ROW policy that includes landscaping, street lighting and traffic signals and enhances the ability to manage all beautification efforts within the City's ROW. It is recommended that the City Council adopt Resolution No. 08-10 adopting the revised Urban Beautification Policy.

## EXHIBITS

**Resolution No. 08-10: See Next Page**

**POLICY NUMBER 4000-05**  
**Date of adoption: 10-06-1998**  
**Effective date: 10-06-1998**  
**Amended:**

**RESOLUTION NO. 08-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, ADOPTING THE URBAN BEAUTIFICATION POLICY.**

**BE IT RESOLVED BY THE CITY COUNCIL  
OF THE CITY OF SUGAR LAND, TEXAS:**

**Section 1. That the City Council hereby adopts an Urban Beautification Policy.**

---

**URBAN BEAUTIFICATION POLICY**

---

**A. PURPOSE**

To establish a uniform policy for urban beautification and maintenance of state routes and City Rights-of-Way (ROW) throughout the City; to establish the policy, procedures and standards for the installation, maintenance and management of streetscape elements within the ROW.

**B. SCOPE**

The City is the chief steward of the ROW and is responsible for maintaining all public infrastructure within the ROW.

The City is committed to urban beautification throughout the City. The City's direct efforts will be limited to landscaping and irrigation, ornamental street lighting, ornamental traffic signals, and entrance-way features along U.S. Highways and State Routes within the City.

The City has also committed to support the maintenance of urban beautification improvements by other entities along Non-State Routes in accordance with the City's authorization and permitting process. In addition, the City will continue to maintain all ROW, so as to comply with the City's Code of Ordinances.

**C. DEFINITIONS**

***Beautification Level:*** The highest degree of landscape maintenance; includes mowing, edging, and string line trimming at up to 44 frequencies per year; also includes litter pickup, weed and insect control, upkeep and repair of irrigation systems, and annual tree, shrub, and groundcover trimming and

pruning.

**Groom Cut Level:** Includes mowing, string line trimming and litter pickup at up to 36 frequencies per year.

**Non-State Routes:** Any roadway defined in the City's Thoroughfare Plan as an Arterial, Major Collector, or Minor Collector.

**Residential Street:** Any roadway defined in the City's Thoroughfare Plan as "other," meaning it is not a Freeway, State Route, or Non-State Route.

**Right-of-Way (ROW):** As defined within the City's Code of Ordinances, the City's Public Right-of-Way means the land below, above, and at the surface of any public street, highway, alley, sidewalk, bridge, tunnel, easement or similar property in which the City holds any property interest or exercises any rights of management or control.

**Rough Cut Level:** The lowest level of maintenance; includes up to 24 frequencies per year, depending on visibility from ROW and frequency required to maintain compliance with the Code of Ordinances.

**State Route:** Any roadway defined in the City's Thoroughfare Plan as a State Highway.

**U.S. Highway:** Any roadway defined in the City's Thoroughfare Plan as a Freeway or U.S. Highway.

## **D. POLICY**

### **1. Landscape Management**

- a. The City is the chief steward of the ROW within the City of Sugar Land city limits and is responsible for maintaining all public infrastructure within the ROW in perpetuity.
- b. Under the City's Right-of-Way authorization and permitting process, property owners and their contracted agents, are responsible for the installation and perpetual maintenance of all authorized and permitted improvements, as well as their removal and replacement.
- c. All new irrigation will be reviewed by the Public Works and Utilities Departments to ensure that all efforts to utilize non-potable water have been considered. Water reimbursement opportunities are available via the Water Cost Share Program administered through the Utilities Department.

### **2. Street Lighting Management**

- a. The installation of street lighting is mandatory along all public streets in the City and its extraterritorial jurisdiction in accordance with the City's Development Code and Design Standards. All street lighting systems must include only light fixtures available to the City through Center Point Energy.

- b. Street lighting must be placed in accordance with Appendix A and must operate at the photometric intensity recommended by the electric service provider in accordance with the Illumination Engineering Society (IES) and the City's Design Standards.
- c. No installation of private lighting systems within the ROW of the City and its extraterritorial jurisdiction is allowed in accordance with the City's Design Standards. As replacement of grandfathered systems is needed, all systems must be replaced with Center Point Energy systems; prorated reimbursements for grandfathered private systems are administered via the program outlined in Appendix B.

**E. CLASSIFICATIONS OF ROUTES, IMPROVEMENTS AND MAINTENANCE LEVELS:**

**1. U.S. Highways and State Routes**

*a. Landscape Management*

- i. The City is committed to installing and maintaining all ROW improvements along U.S. Highways and State Routes at the Beautification Level.
- ii. All efforts will be made to utilize Texas Department of Transportation (TxDOT) grants when implementing these beautification efforts. Once these State Routes have been improved, the City is committed to their long-term maintenance.

*b. Street Lighting Management*

- i. The City will fund the installation of ornamental street lighting along all of its U.S. Highways and State Routes in accordance with the City of Sugar Land Design Standards or as approved by TxDOT.

*c. Traffic Signal Management*

- i. The City will fund the installation of ornamental traffic signals along all of its U.S. Highways and State Routes in accordance with the City of Sugar Land Design Standards or as approved by TxDOT.

**2. Non-State Routes (More than 15,000 Vehicles per Day)**

*a. Landscape Management*

- i. All ROW along Non-State Routes with a traffic volume exceeding 15,000 vehicles per day will be maintained at the Groom Cut Level by either the City or appropriate outside entity. The City may provide a reimbursement equaling the City's cost of the Groom Cut Level to the responsible entity performing the landscape maintenance, subject to annual budget appropriations. This will be accomplished through service contracts with the appropriate outside entity.
- ii. All improvements must be authorized by the City's Right-of-Way authorization and permitting process and placed in accordance with Appendix A.

*b. Street Lighting Management*

- i. Two standard lighting systems, available through Center Point Energy, are allowed in the ROW along Non-State Routes: a standard 30' cobra head system and a standard 12' non-cobra lamp post system. Selection and design of the lighting system must be done in accordance with Appendix A. The standard 12' non-cobra lamp post system is used along Non-State Routes only if:
  - a. The improvement is needed because the optimal function of the existing standard lighting system is impeded due to developed tree canopies,
  - b. The lighting deficiency can only be resolved through the installation of a standard 12' non-cobra lamp post system and not through tree trimming or the installation of additional 30' cobra head lights, and
  - c. Funding is allocated and approved.

*c. Traffic Signal Management*

- i. The City will fund the installation of standard galvanized steel traffic signal infrastructure in all ROW along Non-State Routes.
- ii. The City will allow other entities to install approved ornamental traffic signal infrastructure if the proposed intersection is adjacent to an existing intersection with previously approved ornamental infrastructure and the property owner, or their contracted agent, pays all costs associated with the upgrade.

**3. Non-State Routes (Less than 15,000 Vehicles per Day)**

*a. Landscape Management*

- i. All ROW along Non-State Routes with a traffic volume less than 15,000 vehicles per day will be maintained at the Rough Cut Level.
- ii. All improvements must be authorized by the City's Right-of-Way authorization and permitting process and placed in accordance with Appendix A.

*b. Street Lighting Management*

- i. Two standard lighting systems, available through Center Point Energy, are allowed in ROW along Non-State Routes: a standard 30' cobra head system and a standard 12' non-cobra lamp post system. Selection and design of the lighting system must be done in accordance with Appendix A. The standard 12' non-cobra lamp post system is used along Non-State Routes only if:
  - a. The improvement is needed because the optimal function of the existing standard lighting system is impeded due to developed tree canopies,

- b. The lighting deficiency can only be resolved through the installation of a standard 12' non-cobra lamp post system and not through tree trimming or the installation of additional 30' cobra head lights, and
- c. Funding is allocated and approved.

*c. Traffic Signal Management*

- i. The City will fund the installation of standard galvanized steel traffic signal infrastructure in all ROW along Non-State Routes.
- ii. The City will allow other entities to install approved ornamental traffic signal infrastructure if the proposed intersection is adjacent to an existing intersection with previously approved ornamental infrastructure and the property owner, or their contracted agent, pays all costs associated with the upgrade.

#### **4. Residential Streets**

*a. Landscape Management*

- i. All ROW along residential streets will be maintained in accordance with the City's Code of Ordinances.
- ii. All improvements must be authorized by the City's Right-of-Way authorization and permitting process and placed in accordance with Appendix A.

*b. Street Lighting Management*

- i. Two standard lighting systems, available through Center Point Energy, are allowed in ROW along Non-State Routes: a standard 30' cobra head system and a standard 12' non-cobra lamp post system. Selection and design of the lighting system must be done in accordance with Appendix A.
- ii. Lighting System Change-Outs: Residential Change-Out Program:
  - a. The City will allow outside entities to request a change-out from the standard 30' cobra head system to a standard 12' non-cobra head lamp post system. If the request is approved, the Public Works Department will determine the logical project limits, as sporadic change-outs are not permitted.
  - b. The requesting party is responsible for all costs associated with the planning, design, and construction of the new lighting facilities, including all costs associated with additional lights that may be required by the Public Works Department to keep the lighting levels within the subdivision at existing levels or better.
  - c. The requesting party may apply to the City's Cooperative CIP program to help with funding; approval of funds and level of funding is to be determined in accordance with City Council policy and upon receipt of the Cooperative CIP application.
  - d. If the City's annual allotment from Center Point Energy becomes available for residential change-outs, the City will use it to help outside entities partially offset associated change-out costs.
  - e. Upon approval, installation, and operation, the City will pay for the operational and maintenance costs associated with the lighting system.



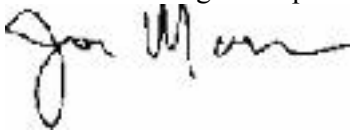
PASSED AND APPROVED on \_\_\_\_\_, 2008.

\_\_\_\_\_  
David G. Wallace, Mayor

ATTEST:

\_\_\_\_\_  
Glenda Gundermann, City Secretary

Reviewed for legal compliance:

A handwritten signature in black ink, appearing to read "Joe Man", is written over a light gray rectangular background.

## **Appendix A.**

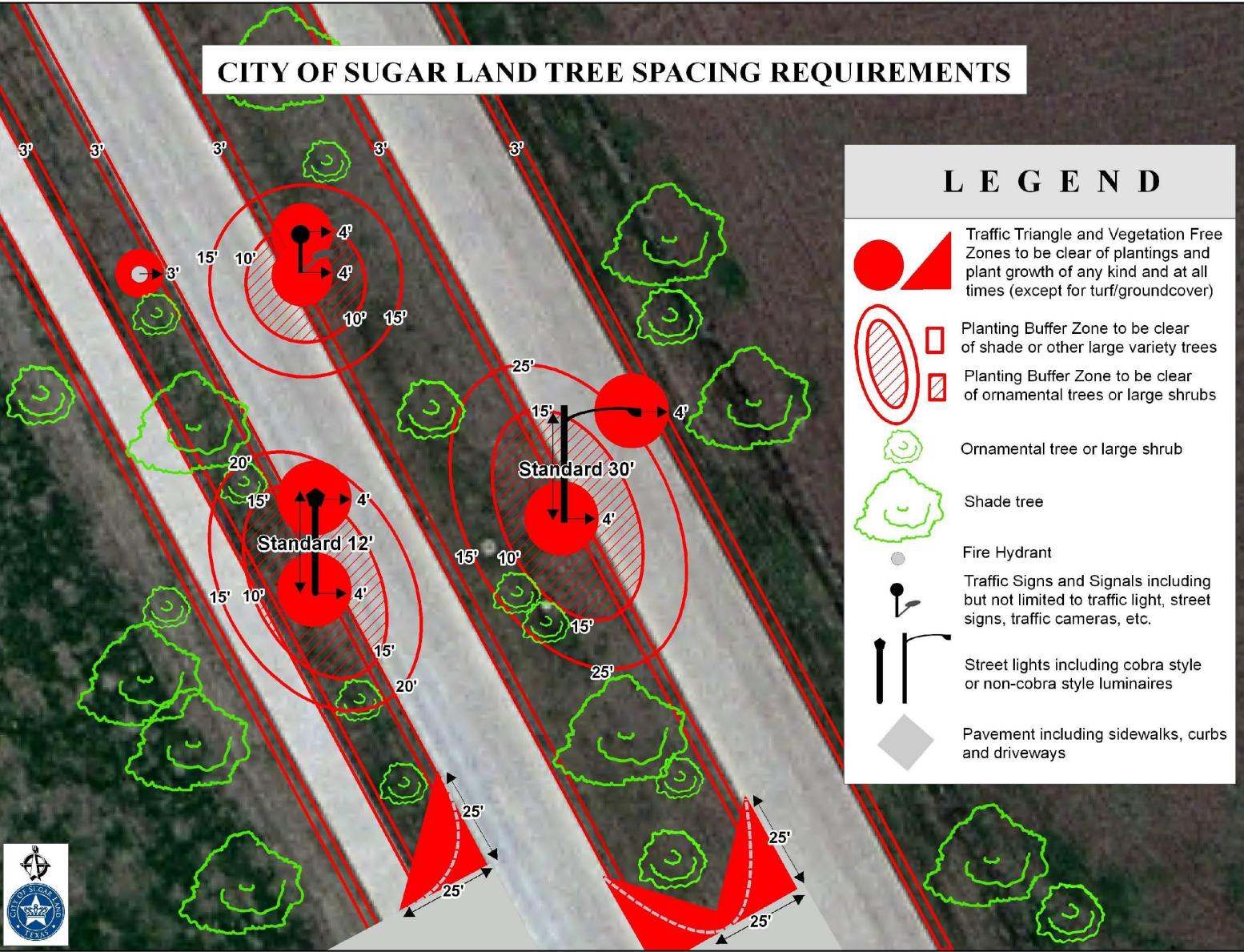
### **Technical & Spacing Specifications for Streetscape Elements**

---

*Standard Street Lighting Systems implemented may vary based on existing conditions and the availability of specific infrastructure and lighting hardware so as to provide the most optimal lighting possible.*

1. If cobra head type streetlights are proposed for a segment of roadway, and trees are to be planted in conjunction with or after the installation of streetlights to create a streetscape, the trees and lights must be installed in accordance with Exhibit A. The heights referenced in the exhibit refer to maximum growth sizes for the particular tree as it relates to the proposed streetlight.
2. If non-cobra type streetlights are proposed for a segment of roadway, and trees are to be planted in conjunction with or after the installation of streetlights to create a canopy or streetscape, the trees and lights must be installed in accordance with Exhibit A. Trees shall be planted no closer than 25' from one another.

Exhibit A.



## **Appendix B.**

### **Grandfathering of Existing Private Lighting Systems**

---

The City has previously provided prorated reimbursements to requesting organizations that own private lighting systems used to light ROW. These systems and the associated reimbursements will be grandfathered under the following program:

1. The reimbursement will be for the operational cost of the equivalent number of standard cobra head streetlights necessary to properly light a street to the City's minimum requirements, outlined in Appendix A.
2. The organization will be responsible for the maintenance and operation of the decorative lighting system within the ROW and must keep those lighting systems in good working order and aesthetic condition.
3. The organization will complete a minimum of one inspection per month of all street lighting to assure proper operation. All light outages identified via the inspection program or reported by others will be repaired within 72 hours after notification.
4. The organization will provide annual inspection of all lighting fixtures to evaluate the structural condition and the aesthetic appearance. The organization will take immediate action to correct any structural defects found as a result of this inspection. All work identified to maintain the aesthetics of the fixtures would be completed by the organization within the subsequent year. The results of this inspection will be sent to the Public Works Department.
5. The Public Works Department will strictly enforce the provisions within the program through random inspections to ensure compliance. If the organization does not comply with the terms and conditions of the program, the City may withhold a prorated portion of the reimbursement payment based on the time period the organization did not meet the terms and conditions of the program.
6. This policy will be administered via annual agreements between the City and the organizations. These agreements will continue for successive one-year terms unless either party terminates the agreement by giving the other written notice 120 days prior to the end of the term. Additionally, all street lighting reimbursement agreements are subject to the annual appropriation of funding by the City Council.